

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Antony K. Spilman et al.

Serial No.: 10/798,146

Examiner: Liu, Li

Filing Date: March 11, 2004

Group Art Unit: 2613

Title: Rate Adaptive Optical Communication System and Method Thereof

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE) 37 CFR 1.114

Subsection (b) of 35 U.S.C. 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Sir:

This is a Request for Continued Examination (RCE) under CFR 1.114 of the above-identified application.

NOTE: 37 CFR 1.114 is effective on May 20, 2000. If the above application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under CFR 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 off. Gaz. Pat. Office 47 (Apr. 11, 2000), which Established RCE practice.

Submission under 37 CFR 1.114

☐ Previously submitted:

- ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on
(Any unentered amendment(s) referred to above will be entered).
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- ☐ Other:

☒ Enclosed:

- ☒ Amendment/Reply
- ☐ Affidavit(s)/Declarations(s)
- ☐ Information Disclosure Statement (IDS)
- ☐ Other:

Miscellaneous

- ☐ Suspension of action is requested under 37 CFR 1.103(c) for a period of _____ months.
The fee for this Suspension is (37 CFR 1.17(i)) **\$130.00**.
- ☐ Other:

RCE filing fee **\$810.00**

- ☐ A Petition for Extension of Time
- | | | |
|--------------------------|--------------|-----------|
| <input type="checkbox"/> | One month | \$120.00 |
| <input type="checkbox"/> | Two months | \$460.00 |
| <input type="checkbox"/> | Three months | \$1050.00 |
| <input type="checkbox"/> | Four months | \$1640.00 |

Please charge to Deposit Account **50-3718** the sum of \$810.00 . At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **50-3718** pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

- ☒ I hereby certify that this paper is being electronically transmitted to the Commissioner for Patents on the date shown below.

Date of Transmission: March 18, 2008

Typed Name: Robert A. Blaha

Signature: /Robert A. Blaha/

Respectfully submitted,

Antony K. Spilman et al.

By /Robert A. Blaha/

Robert A. Blaha
Attorney/Agent for Applicant(s)

Reg. No. 43,502

Date: March 18, 2008

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